

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Southern California Edison Company

Project No. 1388-032

ORDER AMENDING LICENSE IN PART,
APPROVING REVISED EXHIBITS, AND
REVISING ANNUAL CHARGES

(Issued July 23, 2001)

On January 12, 2000, and supplemented on November 9, 2000, Southern California Edison Company (SCE), licensee for the Lee Vining Hydroelectric Project, FERC No. 1388,¹ filed an application to amend its license. SCE proposing to do the following:

- (a) delete as project features, a 6.4-mile-long, 115-kilovolt (kV) primary transmission line, extending from the project powerhouse to interconnect with SCE's distribution system at the non-project Lee Vining substation, and a 23.02-mile-long telephone line, extending from the project powerhouse to Rush Creek Powerhouse (FERC No. 1389). The primary transmission line occupies about 30.20 acres of federal lands for transmission right-of way (Exhibits G-7 and G-8) and the telephone line occupies about 56.01 acres of federal lands for non-transmission right-of way (Exhibits G-7 through G-10);
- (b) delete from the drawings a 1.5-mile-long, 12-kV distribution line, extending from the project powerhouse to a point near Rhinedollar Lake², and a 15.3-mile-long, 115-kV distribution line, extending from the Lee Vining substation to the Rush Creek powerhouse. The 12-kV line occupies about 8.33 acres of federal lands for non-transmission right-of way (Exhibits G-5 and G-6). The 15.3-mile-long, 115-kV line is not part of the project features, nor does it occupy any federal lands; however, it is shown on Exhibit G-9 and G-10 drawings. SCE requests that these drawings be deleted because they only show this non-project distribution line;

¹78 FERC ¶61,110 (February 4, 1997) and 80 FERC ¶62,251 (September 18, 1997).

²Within NW 1/4 of NE 1/4 of Section 20 (licensee's Email, dated June 21, 2001).

- (c) update project information to include the gaging stations at the project, and extend the project boundary to include an existing gaging station, located downstream of the powerhouse. The boundary extension would add about 0.46 acre of federal lands to the project (Exhibit G-6); and
- (d) reduce the project boundary to exclude licensee-owned land and a state highway that are not used for project purposes. The excluded area occupies about 2.93 acres of federal lands (Exhibit G-5).

SCE is also requesting a revision to Article 201(b), to reflect the correct amount of federal lands³ occupied by the project based on the above proposals. SCE filed Exhibits A, F and G reflecting as-built conditions of the project. The project is located on Lee Vining Creek in Mono County, California near the town of Lee Vining, within the Inyo National Forest.

BACKGROUND

Pursuant to Section 4(e) of the Federal Power Act (FPA), the Commission licenses "dams, water conduits, reservoirs, powerhouses, transmission lines, or other project works necessary or convenient forthe development, transmission, and utilization of power...."⁴ FPA Section 3(11)⁵ defines a "project" as including "the primary line or lines transmitting power therefrom to the point of junction with the distribution system or with interconnected primary transmission system." The license for the Lee Vining Project includes the 6.4-mile-long, 115-kV primary transmission line, extending from the project powerhouse to interconnect with SCE's distribution system at the non-project Lee Vining substation.

A public notice of SCE's application was issued on February 20, 2001. The Forest Service (FS) of the U.S. Department of Agriculture filed a motion to intervene on March 20, 2001. FS believes that the Commission should not approve, or give effect to the proposed amendment, unless and until FS offers, and SCE accepts, authorization for the telephone and transmission lines located on National Forest System lands.

³SCE Email to staff on April 27, 2001 and June 21, 2001.

⁴16 U.S.C. 797(e).

⁵16 U.S.C. 796(11).

REVIEW

A. Primary Project Transmission Facilities

The test applied by the Commission to define what is a "primary transmission line" for FPA Part I purposes is that primary lines are:

"... those necessary to ensure the 'viability' of the project in the event of a Federal takeover. If a line is used solely to transmit power from [Commission] licensed projects to load centers, and if, without it there would be no way to market the full capacity of the project, then that line is primary to the project."⁶

We reviewed the one-line diagram, submitted along with the amendment application and found the 6.4-mile-long, 115-kV transmission line that SCE is proposing to delete from the license is part of its distribution system. The line occupies about 30.20 acres of federal lands (Exhibits G-7 and G-8). Ordering paragraphs (B) and (C) of this order delete the transmission line and Exhibit G-7 and G-8 drawings. The effective date for deleting the transmission line and related drawings will be determined after the licensee complies with ordering paragraph (E) of this order. Our review also found that Article 201 of the license does not include any federal land acreage for transmission line right-of-way. Therefore, Article 201 does not need to be revised for this acreage reduction.

B. Non-Project Distribution Transmission Facilities

SCE requests that the 12-kV non-project distribution line be deleted from Exhibits G-5 and G-6, and that the annual charges be revised to reduce the corresponding amount of federal lands by 8.33 acres. We reviewed these drawings and the license, and found this distribution line is not part of the license, but is shown on the drawings. We agree with SCE that this line should be deleted from Exhibits G-5 and G-6 and the annual charges should be revised to reflect the exclusion of the distribution line. Therefore, ordering paragraph (G) approves the revised exhibits, and ordering paragraph (D) revises the annual charges accordingly.

SCE's filing includes a request to delete Exhibits G-9 and G-10, which show a 15.3-mile-long, 115-kV non-project transmission line. Since this line is not part of the

⁶ See Pacific Gas and Electric Company, 85 FERC ¶ 61,411 at p.62,559 (1998) and the orders cited therein.

project features, ordering paragraph (C) deletes these drawings. In addition, since this line does not occupy any federal lands, we do not need to revise Article 201 for this project feature deletion.

C. Telephone Line

SCE indicates the 21.7-mile-long telephone line, which extends from the powerhouse to the Rush Creek Project (shown on Exhibits G-6 through G-10), is owned by SCE and is no longer in service because communications are done via hand-held radios and cellular phones. As such, SCE requests the telephone line be deleted from the license as a project feature, and Article 201 (b) be revised to reflect the reduction of 61.2 acres of federal lands occupied by the telephone line. Since the line is no longer used for project purposes, ordering paragraph (B) deletes it from the license and ordering paragraph (D) revises the annual charges accordingly. The effective date for deleting the telephone and approving the related drawings will be determined after the licensee complies with ordering paragraph (E) of this order.

D. Exhibit A

SCE filed an Exhibit A, entitled "Exhibit A - As-Built General Description and Specifications of Mechanical, Electrical, and Transmission Equipment". We reviewed this exhibit and found it contains partial information on the project turbine and generators, and it does not contain any information on the project reservoirs nor other project features. We are considering the information filed by SCE as a supplement to the Exhibit A (Exhibit A Supplement or Supplement).

In reviewing the Supplement, we found SCE should integrate the information with the approved version of Exhibit A⁷ as follows:

- (1) We found the following supplemental sections adequate: 1.2 through 1.6, 3.0, 4.0, 5.1 through 5.7, 6.0, 7.0, and 9.0. Except for Sections 1.6 and 7.0, these supplemental sections should be integrated with Exhibit A as a new Section A.6, entitled "General Description and Specifications of Mechanical, Electrical, and Transmission Equipment".
- (2) Supplemental Section 7.0 should be integrated with the existing

⁷The approved version of Exhibit A was filed on September 9, 1997 and approved on September 18, 1997.

Section A.4 in Exhibit A, entitled "Transmission Lines".

(3) Since the information on the turbines and generators, in the Supplemental Sections 1.1 and 2.0, respectively, are the same as Section A.3 of Exhibit A, this information does not need to be revised.

(4) Supplemental Section 1.6 - "Gaging Stations" does not include information on the gaging station downstream of the powerhouse (USGS No. 10287780 and SCE No. 364). SCE should include the subject station into Section 1.6 and incorporate this section as a new Section A.5, entitled "Gaging Station", into Exhibit A.

(5) Supplemental Section 8.0 - "Waterways" is adequate; however, the description of the dam height needs clarification. It appears that the 19-foot height of the Tioga Auxiliary Dam and 18.6-foot height of the Rhinedollar Dam are the structural heights. These heights do not reflect the hydraulic heights of the dams nor the spillway elevations. In addition, SCE revised the Rhinedollar crest elevation from 9,497.53 to 9,499 feet, and incorporated the height of an 18-inch-high concrete parapet wall, which was installed in 1998. However, the description does not mention the parapet wall. The description of the Tioga Auxiliary Dam and the Rhinedollar Dam should be revised to read, as follows:

"Tioga Auxiliary Dam: The auxiliary dam is a single arch, constant radius concrete dam with crest length of approximately 50 ft, crest elevation at 9,651.28 feet, and height of 9 feet above the foundation elevation of about 9,642.28 feet.

Rhinedollar Dam: Reinforced concrete faced rockfill dam, with a crest length of 437 feet and a crest elevation of 9,497.5 feet. The dam is 17.5 feet high above the foundation elevation of about 9,480.0 feet. The dam is topped with an 18-inch high concrete parapet wall, with a top of wall elevation of about 9,499 feet. A concrete side channel spillway...."

SCE should incorporate the above descriptions into the existing Section A.1 of Exhibit A.

E. Exhibit F

We reviewed Exhibit F-3 and found the "Typical Section" diagram of the Rhinedollar Dam should show and label the 18-inch high concrete parapet at the dam

crest, with a top of wall elevation of 9,499 feet, and reference to Section B-B on the drawing. To be consistent with the revised description of the dam in Exhibit A, as discussed above, SCE should add a label on the "Typical Section" diagram of the dam, indicating "Dam Crest Elevation" at elevation 9,497.5 feet. Ordering paragraph (F)(2) requires SCE to file a revised Exhibit F-3.

SCE revised the Poole Powerhouse Plot Plan in Exhibit F-5, to show the transformer banks and a part of the 6.4-mile, 115-kV transmission line, leading from the powerhouse, as non-project features. We agree with SCE these features are no longer project features, and SCE properly identified both project and non-project facilities to allow the Commission to understand how the project is connected to its environs. Ordering paragraph (G) approves this drawing.

On January 12, 2000, SCE filed a revised Exhibit F-6 drawing to update the labeling on the turbine and generator capacities. The capacities were updated to be consistent with the September 1997 order (17,910 hp and 11,250 kW, respectively). Then on November 9, 2000, SCE further revised the drawing to label three heat exchangers as non-project facilities, because they service the transformers, proposed to be deleted as project features. We reviewed both versions of the exhibit drawing and found the capacity update is consistent with the license, and the modification to the heat exchangers is reasonable. Ordering paragraph (G) approves the Exhibit F-6, which was filed on November 9, 2000.

F. Exhibit G

SCE filed revised Exhibit G drawings to identify the locations of the gaging stations, delete the telephone and the 12-kV non-project distribution line, delete transmission lines, and modify the project boundary. Exhibits G-1 through G-4 adequately show the location of the gaging stations, and delete the telephone and 12-kV distribution lines. Ordering paragraph (G) approves Exhibits G-1 through G-4.

In Exhibit G-5, SCE modified the project boundary to the Rhinedollar Lake and Dam high water mark to exclude: (1) SCE-owned lands that are not used for project purposes, (2) a state highway, and (3) the 12-kV distribution line. SCE also requests a revision to Article 201(b) to reduce the acreage of federal lands by 2.93 acres for the exclusion of the state highway. We agree, and ordering paragraph (G) approves Exhibit G-5, and ordering paragraph (D) revises Article 201(b) accordingly .

On January 12, 2000, SCE filed a revised Exhibit G-6 drawing of the plan view of the Poole powerhouse and penstock. SCE deleted the 12-kV distribution line, labeled

the transformer switchyard as non-project, and located two gaging stations that were not previously mapped. However, SCE did not add the federal land (0.46 acre) for the expansion of the project boundary to include the gaging station located downstream of the powerhouse. In a supplemental filing dated November 9, 2000, SCE filed another version of Exhibit G-6 to add in this acreage, and requested that Article 201(b) be revised. We reviewed the exhibit drawing and the revisions are adequate. Ordering paragraph (G) approves the most recent Exhibit G-6 and ordering paragraph (D) revises Article 201(b) to reflect the addition of 0.46 acre.

SCE proposes to delete Exhibits G-7 and G-10 because they show the 6.4-mile transmission line, the 15.3-mile-long non-project transmission line, and the telephone line. Since we found that the transmission and telephone lines are no longer project features, ordering paragraph (C) deletes these drawings.

G. Annual Charges

By incorporating the changes to the project boundary as discussed in this order, we will revise Article 201(b) to show a total reduction of 10.8 acres of federal land for the use of non-transmission line rights-of-way. This acreage consists of: a) a reduction of 2.93 acres for the state highway, b) an increase of 0.46 acre for the gauging station, and c) a reduction of 8.33 acres for the 1.5-mile-long 12-kV distribution line. The total amount of land will be reduced from 752.55 acres to 741.75 acres, effective the first day of the month in which this order is issued.

Further revisions to Article 201(b) will be necessary after the licensee complies with ordering paragraph (E) of this order. Upon satisfaction of the requirement to obtain the necessary approvals for use of federal lands, we will reduce the federal land for the use of non-transmission line rights-of-way for the telephone line by 56.01 acres.

CONCLUSION

This order approves SCE's request to revise the project boundary by adding an existing gauging station, removing a 12-kV distribution line, and removing a state highway that is not part of the project. This order also approves the removal of a 23.02-mile-long telephone line and a 6.4-mile-long, 115-kV transmission line as project features, effective upon SCE's acceptance of federal authorization for the telephone and transmission lines to be located on National Forest System lands. Ordering paragraph (E) of this order requires SCE to file with the Commission, copies of all permits/approvals and their conditions.

This order revises the annual charges under Part 1 of the Federal Power Act. It also approves Exhibits G-1 through G-6 and F-5 through F-6, which are in conformance with the Commission's rules and regulations. We are requiring the licensee to revise and re-file Exhibits A and F-3.

The Director orders:

(A) Southern California Edison's application to amend the license for the Lee Vining Project, FERC No. 1388, is approved as provided in this order.

(B) The following facilities are deleted from the license, effective upon licensee's compliance with ordering paragraph (E) of this order:

(1) 23.02-mile-long telephone line, extending from the project powerhouse to the Rush Creek Project (FERC Project No. 1389), as shown on Exhibits G-6 through G-10; and

(2) the 6.4-mile-long, 115-kV transmission line, extending from the project powerhouse to the Lee Vining substation, as shown on Exhibits G-7 through G-8.

(C) The following exhibit drawings are deleted from the project license, effective upon licensee's compliance with ordering paragraph (E) of this order:

FERC Drawing No. 1388-	Exhibit	Title
7	G-7	Project Boundary: Poole-Lee Vining 115-kV Transmission and Telephone Lines
8	G-8	Project Boundary: Poole-Lee Vining 115-kV Transmission and Telephone Lines
9	G-9	Project Boundary: Lee Vining - Rush Creek - 115-kV Transmission and Telephone Lines
10	G-10	Project Boundary: Lee Vining - Rush Creek - 115-kV Transmission and Telephone Lines

(D) Article 201 of the project license is revised in part, effective the first day of

the month in which this order is issued, as follows:

"... (b) Recompensing the United States for the use, occupancy and enjoyment of 741.75 acres of its lands, other than for transmission line right-of-way."

(E) The deletion of the project's 23.02-mile-long telephone line and 6.4-mile-long, 115-kV transmission line and related exhibit drawings shall be effective on the date the licensee receives all necessary permits/approvals from the U.S. Forest Service or the U.S. Bureau of Land Management, as appropriate, for the continued use of National Forest System lands. Southern California Edison shall file copies of all permits/approvals with the Commission within 30 days of receiving the approvals.

(F) Within 90 days of the issuance date of this order, the licensee shall file revised Exhibits A and F-3, to incorporate the changes discussed in this order. If the licensee makes any other changes to any of the exhibits, other than those discussed in this order, the licensee must clearly identify and describe those changes in its filing.

(G) The following Exhibits F and G, filed on January 12, 2000, and Exhibits F-6 and G-6, filed on November 9, 2000, are approved and made part of the license. The superseded drawings are eliminated from the license. However, all the revisions in the exhibit drawings that are related to facilities occupying federal lands, will not become effective until the licensee complies with ordering paragraph (E) of this order.

FERC DRAWING NO. 1388-	EXHIBIT NO.	TITLE	SUPERSEDED DRAWING NO. 1388-
19	G-1	Project Boundary: Saddlebag Lake and Dam	1
20	G-2	Project Boundary: Lee Vining Creek	2
21	G-3	Project Boundary: Lee Vining Creek	3
22	G-4	Project Boundary: Tioga Lake and Dam	4
23	G-5	Project Boundary: Rhinedollar Lake and Dam	5
24	G-6	Project Boundary: Poole Powerhouse and Penstock	6
25	F-5	Poole Powerhouse Plot Plan	15
26	F-6	Poole Powerhouse Plan and Section	16

(H) Within 90 days of the date of issuance of this order, the licensee shall file four original sets of aperture cards to clearly show the above approved exhibit drawings. The drawings should be reproduced on silver or gelatin 35 mm microfilm. The microfilm should be mounted on Type D (3¼" x 7⅜") aperture cards.

Prior to microfilming, the FERC Drawing Number (1388-19 through 1388-26) shall be shown in the margin below the title block of the approved drawing. After mounting, the FERC Drawing Number should be typed in the upper right corner of each aperture card. Additionally, the Project Number, FERC exhibit (i.e., F-1, F-2, . . .etc., G-1, G-2, etc. . . .), Drawing Title, and date of this order should be typed in the upper left corner of each aperture card. See Figure 1.

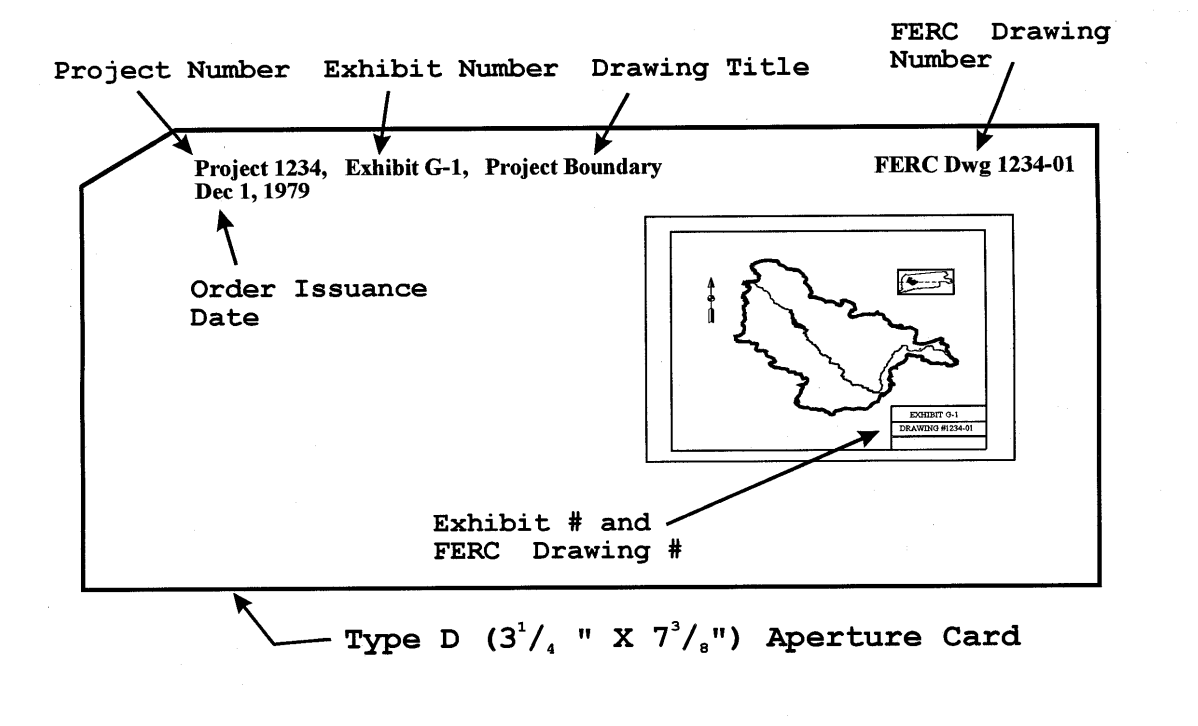


Figure 1. Sample Aperture Card Format

Two sets of aperture cards should be filed with the Secretary of the Commission. The third set of aperture cards should be filed with the Commission's San Francisco Regional Office. The fourth set of cards should be filed with the Bureau of Land Management's California State Office at the following address:

State Director
California State Office
Branch of Adjudication and Records (CA-943.5)
Bureau of Land Management
2800 Cottage Way Suite W1834
Sacramento, CA 95825-1886

(I) This order constitutes final agency action. Requests for rehearing by the

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Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. §385.713.

Charles K. Cover, P.E.
Group 2
Division of Hydropower Administration
and Compliance